



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

000321 PM82/1019
SENNIGER POWERS LEAVITT AND ROEDEL
ONE METROPOLITAN SQUARE
16TH FLOOR
ST LOUIS MO 63102

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/530,895	05/05/00	041	PANG, R	3681 10/19/01
First Named Applicant	WILLMOT,	35 USC 154(b) term ext.	=	0 Days.

TITLE OF INVENTION DOUBLE ORBITAL TRANSMISSION

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEES DUE	DATE DUE
2 GRHK4330	475-178/000	N62	UTILITY	NO	\$1280.00	01/22/02

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number.

Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PATENT AND TRADEMARK OFFICE COPY

Notice of Allowability	Application No. 09/530,895	Applicant(s) Willmot
	Examiner Roger Pang	Art Unit 3681

—The MAILING DATE of this communication appears on the cover sheet with the correspondence address—

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the amendment filed on September 5, 2001
2. The allowed claim(s) is/are 1, 2, and 4-42
3. The drawings filed on May 5, 2000 are acceptable as formal drawings.
4. Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

5. Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE FOR SUBMITTING NEW FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION. This three-month period for complying with the REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL is extendable under 37 CFR 1.136(a).**

6. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
7. Applicant MUST submit NEW FORMAL DRAWINGS
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No. _____.
 - (b) including changes required by the proposed drawing correction filed _____, which has been approved by the examiner.
 - (c) including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

8. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

1 <input type="checkbox"/> Notice of References Cited (PTO-892)	2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	4 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ 7.
5 <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449), Paper No(s). _____	6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment
7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance
9 <input type="checkbox"/> Other	

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DETAILED ACTION

The following action is in response to the amendment filed for application 09/530,895 on September 5, 2001.

Election/Restriction

1. Claims 1, 11 and 26 are generic and allowable. Accordingly, the restriction requirement as to the encompassed species is hereby withdrawn and claims 6-10, 13-25, and 29, directed to the species of Species 1-6 are no longer withdrawn from consideration since all of the claims to this species depend from or otherwise include each of the limitations of an allowed generic claim.

In view of the above noted withdrawal of the restriction requirement as to the linked species, applicant(s) are advised that if any claim(s) depending from or including all the limitations of the allowable generic linking claim(s) be presented in a continuation or divisional application, such claims may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 44 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

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Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kurt James on October 17, 2001.

3. The application has been amended as follows:

In Claim 6:

on line 2, "comprising" has been replaced with --comprises--

on line 5, "orbit" has been replaced with --orbital--

In Claim 7:

on line 1, "orbit" has been replaced with --orbital--

In Claim 13:

on line 3, "the pawl" has been replaced with --a pawl--

on line 4, "the orbit" has been replaced with --an orbit--

In Claim 15:

on line 1, "6" has been replaced with --8--

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In Claim 30:

on line 5, "means" has been replaced with --power supply--

on line 15, "means" has been replaced with --power supply--

on line 18, "means" has been replaced with --power supply--

Allowable Subject Matter

4. Claims 1-2, and 4-42 are allowed.
5. The following is an examiner's statement of reasons for allowance: the prior art of record fails to show or render obvious the double orbital transmission as claimed, and particularly including phase changing means for changing the phase relationship of orbital motions to, in turn, change the drive ratio of the transmission, and including the remaining structure of claim 1. The present invention also includes second orbital means comprising an orbit body for carrying first and second assembler rings, and including the remaining structure of claim 11.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roger Pang whose telephone number is (703) 305-0445. The examiner can normally be reached on weekdays (Monday through Thursday) from 6:30 a.m to 5:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor, can be reached at (703) 308-0830. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-2168.

Charles A. Marmor 10/18/01
CHARLES A. MARMOR
SUPERVISORY PATENT EXAMINEE
ART UNIT 3681

JP
RLP

October 17, 2001